

VILLAGE OF BREWSTER
BOARD OF TRUSTEES
16 JANUARY 2019
7:30 P.M.
PUBLIC HEARING & REGULAR MEETING
MINUTES

The Board of Trustees of the Village of Brewster held a Public Hearing at 7:30 PM followed by a regular meeting at 7:36 PM, on January 16, 2019 at Village Hall, 50 Main Street, Brewster, NY 10509.

Attendees:

Mayor: James Schoenig
Deputy Mayor and Trustee: Christine Piccini
Trustees; Mary Bryde, George Gaspar, Tom Boissonnault
Village Police Chief: John Del Gardo
Village Engineer: Todd Atkinson
Village Counsel: Anthony Molé
Clerk & Treasurer: Peter Hansen
Deputy Clerk-Treasurer: Michelle Chiudina

Absent:

Pledge to flag.

Notation of Exits

Mayor Schoenig motions to open the Public Hearing, Deputy Mayor Piccini 2nd all in favor 5 to 0.

Public Hearing

To consider a request for a Special Exception Use Permit in the PB District regarding construction of a multi-family residential building on a corner lot at 530 N. Main Street S.B.L No. 56.82-1-47.

Gerry Schramek, a Commissioner of the Brewster Southeast Fire District, is attending on behalf of the Fire District to stay abreast of development in the Village and the Town. Mr. Schramek expresses concern about the strain development could place on the Volunteer Fire Department. Mayor Schoenig says that the Fire District was involved in the early phases of Envision Brewster discussions. Mr. Schramek says that there has been a change in leadership and we would like to be part of the discussions going forward. Deputy Mayor Piccini says the developer and the Village asked for input from the Fire District regarding development plans and we will continue to do that. Mr. Schramek says they would like to take a more active role.

Mayor Schoenig motions to close the Public Hearing, Trustee Gaspar 2nd all in favor 5 to 0.

Regular Meeting

Mayor Schoenig motions to open the Regular Meeting, Trustee Bryde 2nd all in favor 5 to 0.

1. Mayor Schoenig motions to amend the Regular Meeting agenda and place the Special Exception Use Permit on the agenda. Trustee Gaspar motions to adopt Resolution No. 011619-1 regarding application for a Special Exception Use Permit for 530 North Main Street (copy of Resolution attached to these minutes) including SEQRA disposition and clarification to side yard setbacks et al, Mayor Schoenig 2nd; discussion; Deputy Mayor Piccini mentions that she has been opposed to parking in the front of the building since the beginning of these discussions, Trustee Gaspar says it is his belief that in this instance the proposed layout is the best application for this site, Trustee Bryde concurs, Mayor Schoenig calls for a roll call vote:

Deputy Mayor Piccini: No, Trustee Gaspar: Yes, Mayor Schoenig: Yes, Trustee Bryde: Yes, Trustee Boissonnault: Yes, Resolution No. 011619-1 to grant the Special Exception Use Permit for the 530 N. Main Street multi-family construction in the PB district is adopted by a vote of 4 to 1.

2. Monthly Reports

- 2.1. December, 2018 Code Enforcement Report – copy attached to these minutes. Bill Scorca delivers the December Code Enforcement Report. Mayor Schoenig asks about Title Searches. Mr. Scorca says we typically do not inspect

a property when a title search is requested but we do on occasion depending on circumstances such as open permits or questionable conditions. Mr. Scorca says Code Enforcement recommends including a property inspection as part of the title search to ensure that what is reflected in the property file accurately reflects the actual conditions. Counsel Molé will review the Village Code to see if that additional process needs to be codified. Mayor Schoenig motions to accept the Code Enforcement Report for December, Deputy Mayor Piccini 2nd all in favor 5 to 0.

- 2.2. December, 2018 Engineer's Report – copy attached to these minutes. Todd Atkinson delivers the December Engineer's Report. Deputy Mayor Piccini asks about updating the Zoning Table with the Special Exception Use Permit in the PB District. Mr. Atkinson says we have now verified that the version of the spreadsheet we have now is the most recent and we will modify it to include the Special Exception Use Permit for the PB District as recently adopted by the Board of Trustees. Mayor Schoenig motions to accept the December Engineer's Report, Deputy Mayor Piccini 2nd all in favor 5 to 0.
- 2.3. December, 2018 Police Report – copy attached to these minutes. Chief John Del Gardo delivers the December Police Report. Trustee Bryde asks about the five harassment complaints. Chief Del Gardo says every location was different and one was in a bar. Trustee Bryde asks about the Gas spill. Chief Del Gardo says there was a minor gas spill at one of the stations where the customer was filling up a portable container. Trustee Bryde asks about the "leaving the scene." Chief Del Gardo says there was a situation where someone did some property damage and left the scene dragging some debris with him. Trustee Bryde asks about the homeless condition. Chief Del Gardo says it was the same person on two separate occasions. Trustee Bryde said she attended a Community That Cares meeting this morning and the question was raised about having our Police be a regular attendee but Trustee Bryde said that the Police Chief would be happy to attend when an occasion warranted but not on a regular basis. Chief Del Gardo agreed. Mayor Schoenig commends Chief Del Gardo and his officers for the outstanding work they do to keep our community safe. Mayor Schoenig motions to accept the December Police Report, Trustee Bryde 2nd all in favor 5 to 0.
- 2.4. December, 2018 Planning Board Report – copy attached to these minutes. Rick Stockburger provided the December Planning Board Report which encompassed the January 8, 2019 meeting. Mayor Schoenig motions to accept the December Planning Board Report, Trustee Gaspar 2nd all in favor 5 to 0.
- 2.5. December, 2018 Zoning Board of Appeals Report – copy attached to these minutes. Todd Gianguzzi provided the December Zoning Board of Appeals Report of no activity. Mayor Schoenig motions to accept the ZBA report of no activity, Trustee Bryde 2nd all in favor 5 to 0.
3. Food Pantry Tuesday 9-12, Thursday 12-3 Park St. Permission to Park – Sue Burcroff asks the Board for consideration during Tuesdays and Thursdays regarding parking meter enforcement on Park Street for their volunteers who have difficulty climbing the hill. Mayor Schoenig says we cannot selectively enforce our parking rules but we will look into a solution that might help you.
4. Verizon Telephone Proposal – Clerk Hansen says the Verizon proposal is still lacking a little detail and the representative has not returned repeated calls. As soon as Clerk Hansen has all the information he will report back to the Board for a decision.
5. Medicare Part D payments – The Board agrees to budget the refunds for eligible retirees in 2016, 2017, and 2018 in the FY2020 budget.
6. Refuse Budgetary Billing rate \$25.00 per unit per month starting March 1st for those who sign up. The Board agrees that the amount and budgetary billing policy is reasonable and should move forward effective with the March 1, 2019 billing.
7. Parking fines increase – Mayor Schoenig says we are currently charging \$25 for an expired meter or time limit parking ticket. We are one of the only municipalities charging this small amount for a parking ticket. Mayor Schoenig motions to set a public hearing to raise parking fines from \$25 to \$50 here at Village Hall, 50 Main Street, Brewster, NY 10509 at 7:30 PM, February 6, 2019, Trustee Bryde 2nd all in favor 5 to 0.
8. Parking meters on N. Main Street – Mayor Schoenig says there are no parking meters on N. Main Street and meters on Park Street don't garner much use. Mayor Schoenig says he would like to look into locating some meters on N. Main. The Board agrees that Mayor Schoenig should look into it and report back.
9. Comcast Franchise Agreement – Counsel Molé has identified several items that need clarification in the current Franchise proposal Comcast provided and asks the Board if they want him to put together a letter to their

representative to try and resolve these issues. The Board agrees that Counsel Molé should follow up with Comcast on a firm franchise agreement.

10. Billing arrears (45 day post quarterly billing list) – Clerk Hansen says the Refuse billing is not yet in arrears and the Sewer arrears report from last month is roughly the same though it has improved somewhat.
11. Correspondence sent & received for December, 2018 – Mayor Schoenig motions to accept correspondence sent and received for December, Trustee Bryde 2nd all in favor 5 to 0.
12. Minutes for approval;
13. December 19, 2018 Minutes – Trustee Bryde motions to accept the December 19, 2018 Minutes, 2nd all in favor 4 to 0, Trustee Gaspar abstains due to absence.
14. Vouchers Payable – Deputy Mayor Piccini reviewed the vouchers and found everything in order.

14.1.	A -	GENERAL FUND	\$ 61,470.17
14.2.	C -	REFUSE & GARBAGE	19,526.37
14.3.	EN -	ENGINEERING FEES ESCROW	4,523.75
14.4.	F -	WATER FUND	21,531.52
14.5.	G -	SEWER FUND	18,026.66
14.6.	H63 -	TONETTA BROOK MARVIN AVE	2,160.00
14.7.	T -	TRUST & AGENCY	11,793.65

Total Vouchers Payable\$ 139,032.12
- Mayor Schoenig motions to approve Vouchers Payable as written, Deputy Mayor Piccini 2nd all in favor 5 to 0.
15. Other Business
 - 15.1. Deputy Mayor Piccini says she was stuck behind a rubbish truck on Progress Street and watched them put recycling in a trash compacting truck, called Suburban Carting who said that cardboard was all wax covered and used for food and that is why it went in with the trash. Deputy Mayor Piccini says Village Matters articles are due no later than February 6, 2019. Deputy Mayor Piccini mentions she, Trustee Bryde, Deputy Clerk-Treasurer Michelle Chiudina, and Clerk & Treasurer Peter Hansen met today to discuss how to move forward with Village Matters.
 - 15.2. Trustee Bryde says two of the Women of Distinction Award recipients are arranging to have head shots taken for display at Village Hall.
16. New Business
 - 16.1. Deputy Mayor Piccini received a phone call from Cathy Croft telling her the primary date will move from September to June and this will cause petition circulation and Party Caucus' to also move on the calendar.
 - 16.2. Trustee Bryde asks if anyone went to the swearing in of new Senator. No one attended.
 - 16.3. Trustee Boissonnault attended the School Board meeting. Garden Street School offer is still viable until August.
 - 16.4. Mayor Schoenig says the Governor is eliminating the Aid to Independent Municipalities. This will hurt the Village by basically eliminating any tax increase we might be allowed this year. AIM is just about 2% of our tax levy and eliminating it will hurt our General Fund revenues with no offset. The Governor proposes internet sales tax to offset the AIM loss but Putnam County does not share sales tax with the local municipalities so we are left with a total loss of revenue with nothing to replace it.
17. Public Comment
 - 17.1. Judy Callahan says the parking enforcement in front of 121 Main Street has created a difficult situation for the tenants and clients for our operations. There is really no place to park in the lot behind and below.
 - 17.2. Rick Stockburger says he and Dave Kulo want to attend Planning Federation training in Saratoga this April 28-30. Trustee Gaspar motions to approve attendance for David Kulo and Rick Stockburger at the NY Planning Federation training April 28-30, 2019, Trustee Boissonnault 2nd all in favor 5 to 0.
18. Mayor Schoenig motions to adjourn, Trustee Bryde 2nd all in favor 5 to 0.

DECEMBER, 2018 Code Enforcement Report



VILLAGE OF BREWSTER
50 MAIN STREET
BREWSTER, NY 10509
(845) 279-3760

DECEMBER, 2018 SUMMARY REPORT

A.1560 SAFETY INSPECTION = \$1,725.00

A.2555 BUILDING FEES = 2,994.50

TOTAL FOR DECEMBER = \$4,719.50

PERMITS: 12

VIOLATIONS: 17

TOTAL COs, CCs: 9

INSPECTIONS 1

VILLAGE OF BREWSTER, NY

PLANNING BOARD REPORT

Jan. 16, 2019

Rick Lowell, Chairman
Rick Stockburger, Vice-Chairman
David Kulo
Janet Ward
Marti Foster

Greg Folchetti, attorney- Costello & Folchetti
Todd Atkinson, PE – J.R. Folchetti & Assoc.
Cathy Chuidina, secretary

Meeting Date: January 8, 2019, 7:30PM

The meeting opened with a Public Hearing on the Site Plan for the Brewster Library Expansion. No members of the public came forward to comment.

The library discussion was the first order of business following the hearing. Village engineer Todd Atkinson entered his comment letter to the record. Comments from the Building Dept were noted in that discussion and a brief discussion of the parking situation was held. Southeast Town Supervisor Tony Hay was in the audience and participated in the discussion. The Site Plan was then approved by unanimous vote of the board and signed.

Respectfully,

Rick Lowell
Chairman

I. <u>GENERAL INFORMATION</u>		
Report No: 1 of 2019	Date: 1/16/2019	Contract No:
Facility Name: VOB / PLANNING BOARD REVIEW AND CONSULTATION		

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**VILLAGE OF BREWSTER
MONTHLY PROGRESS REPORT**

1. <u>GENERAL INFORMATION</u>		
Report No: 1 of 2019	Date: 1/16/2019	Contract No:
Facility Name: VOB / EPA Stormwater Phase II Regulations		

2. <u>ENGINEERS STATUS OF PROJECT</u> (Narrative description of the Upgrade Project tasks (and subtasks) undertaken by the Engineer as set forth in the Engineer's Contract and Scope of Work including :	
a.	Activities completed this month (attach additional pages as needed):
	<ul style="list-style-type: none"> • Maintained monthly stormwater maintenance/good housekeeping reports quantifying the number of pounds of litter and the amount of sand cleaned up throughout the Village.
b.	Status of activities in progress this month (attach additional pages as needed):
	<ul style="list-style-type: none"> • Continue to assist Village with operation and maintenance issues. • Begin compiling data received from Village DPW Superintendent for MS4 Annual Report due on June 1, 2019
c.	Activities scheduled (attach additional pages as needed):
	<ul style="list-style-type: none"> • Awaiting comments, if any, from the NYSDEC on the MS4 Annual Report.

BREWSTER POLICE DEPARTMENT

DECEMBER 2018 MONTHLY REPORT

**POLICE CHIEF
John Del Gardo**

VILLAGE OF BREWSTER POLICE DEPARTMENT
MONTHLY REPORT

To: Mayor James Schoenig - Board of Trustees
FROM: Police Chief John Del Gardo
RE: DECEMBER 2018

911 CALLS	68	VEHICLE REPAIRS		\$1,085.00
WALK IN COMPLAINTS	25	VEHICLE MILEAGE		4090
TOTAL CALLS FOR SERVICE	93	VEHICLE FUEL		545
SECURITY VISITS		PEO STOCKBURGER	Tickets	12
Sewer Plant	274		Hours	7
Water Tank	251			
Wells Park	246	PEO GIANGUZZI	Tickets	0
Wells Field	10		Hours	0
TOTAL VISITS	781			
FOOT PATROL				
Main Street:	43			
M.T.A Station:	61			
Residential:	33			
TOTAL HOURS	137			
Court Hours - Village	36	(Security Detail)2 Officers		
Court Hours - S.E.	53	(Security Detail)2 Officers		
TICKETS				
Uniform Traffic Tickets:	325			
Parking Tickets:	54			
Local Ordinance	2			
TOTAL TICKETS	381			
ARRESTS				
TOTAL ARRESTS	0			

911 DISPATCHED CALLS – 68 CALLS

AIDED – 14

ASSAULT - 1

EDP - 3

VEHICLE ACCIDENT – 9

DISPUTE - 3

911 HANGUP - 3

FIRE ALARM - 7

NOISE COMPLAINT - 1

DISORDERLY PERSON - 1

FOUND DOG - 1

DOG STRUCK BY VEHICLE - 1

WELFARE CHECK - 1

VEHICLE FIRE - 1

HARASSMENT - 5

ASSIST PCSO - 1

ASSIST SP - 1

PERSON WITH WEAPON (KNIFE) - 1

GAS SPILL - 1

POWER OUTAGE - 1

SMOKE CONDITION - 1

LOCKOUT - 1

PARKING CONDITION - 2

INTOX PERSONS - 3

LEAVING THE SCENE - 1

CRIMINAL MISCHIEF - 1

GAS ODOR - 1

HOMELESS CONDITION - 2

VILLAGE OF BREWSTER POLICE

SELECTIVE TRAFFIC ENFORCEMENT

DECEMBER 2018

SPEEDS - 41

STOP SIGN - 73

CELL PHONE - 36

RED LIGHT - 24

SEATBELT - 3

CROSSWALK - 2

LEAVING THE SCENE - 2

TOTAL - 184



VILLAGE OF BREWSTER
POLICE DEPARTMENT
JOHN DEL GARDIO, POLICE CHIEF

January 10, 2019

**TOTAL SELECTIVE TRAFFIC
ENFORCEMENT FOR 2018**

SPEED - 869

STOP SIGN - 725

CELL PHONE - 275

RED LIGHT - 103

SEAT BELT - 40

TOTAL - 2015

THE LARRY T. JEWELL
MUNICIPAL BUILDING
50 MAIN STREET
BREWSTER, NY 10509
PUTNAM COUNTY
CELL: 845.222.2014
FAX: 845.278.0495
WWW.BREWSTERVILLAGE.NY.GOV

Thank you,
Chief Del Gardo

January 14, 2019

Attention: Peter Hansen & Village Trustees

Reference: December ZBA Activity

Please be advised that there were no meetings pertaining to the ZBA in December.

Best Regards,

Todd Gianguzzi ZBA, Chairman

VILLAGE OF BREWSTER

County of Putnam, State of New York

RESOLUTION 011619-1

RESOLUTION REGARDING APPLICATION FOR A SPECIAL EXCEPTION USE PERMIT
FOR 530 NORTH MAIN STREET

INTRODUCED BY: TRUSTEE GASPAR

SECONDED BY: TRUSTEE BOISSONNAULT

DATE OF CONSIDERATION/ADOPTION: January 16, 2019

WHEREAS, JUSOMI HOLDINGS, INC., as owner (the “applicant”) has made application to the Board of Trustees of the Village of Brewster (the “Board”) for a special exception use permit pursuant to Section 263-20 of the Code of the Village of Brewster (the “Code”), to construct a multifamily dwelling on the premises known as 530 North Main Street, Brewster, New York, and designated as tax map number 56.82-1-47 (the “premises”), located in the PB zoning district, in which the proposed use is permitted as a special exception use pursuant to Section 263-8(C) of the Village Code, and

WHEREAS, pursuant to Section 263-20(C)(2) of the Village Code, the Village Planning Board has reviewed the application, and has no objection to the subject special exception use permit, and suggested a sidewalk be constructed along Wells Street to the rear boundary of the premises, which has been incorporated into the plan by the applicant, and

WHEREAS, pursuant to Section 263-20(C)(2) of the Village Code, the Putnam County Planning Department has reviewed the application, and has no objection to the subject special exception use permit, and

WHEREAS, a public hearing was held by the Board of Trustees at the Village Hall, 50 Main Street, Brewster, New York on January 16, 2019, and

WHEREAS, the Board has given careful consideration to the facts presented in the application and at the public hearing, and has considered all submissions and comments made with respect thereto, including the recommendation of the Planning Board, and

WHEREAS, the applicant proposes, pursuant to Section 263-20 of the Village Code, a multifamily dwelling on the premises pursuant to the requirements set forth in Section 263-20(I)(9) of the Village Code, and

WHEREAS, the Board of Trustees has reviewed the application in accordance with the standards set forth in Section 263-20(D) of the Village Code, as well as the additional standards and requirements set forth in Section 263-20(I)(9) of the Village Code relating to a multifamily dwelling in the PB district, and

WHEREAS, in accordance with Article 8 of the Environmental Conservation Law (the State Environmental Quality Review Act) and 6 NYCRR Part 617 of the implementing regulations the action under consideration constitutes a TYPE II action and therefore requires no further review under 6 NYCRR Part 617, and

WHEREAS, upon receiving an approval for the special exception use permit, the applicant will have to proceed with an application for site plan approval before the Brewster Planning Board, which will conduct a review pursuant to the State Environmental Quality Review Act with respect to that application, and

WHEREAS, the Board of Trustees finds that overall the application meets the standards and requirements set forth in the Village Code relative to a multifamily dwelling in the PB district;

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees hereby GRANTS the application for a special exception use permit pursuant to Section 263-20 of the Code of the Village of Brewster (the "Code"), subject to the requirements set forth in Section 263-20(I)(9) of the Code, for a multifamily dwelling in the PB district for the premises located at 530 North Main Street, Brewster, New York, and

BE IT FURTHER RESOLVED, that the northern boundary of the premises along Wells Street shall be considered a side yard pursuant to Section 263-20(I)(9)(d) of the Village Code which is subject to a setback of zero (0) feet, as it was the intention to the Board of Trustees in enacting Section 263-20(I)(9) of the Village Code that the properties in the PB district that may apply for a special use permit for a multifamily dwelling shall be subject to a front and side yard setback of zero feet, even if the property is a corner lot, and

BE IT FURTHER RESOLVED, that any use of the premises inconsistent with the special exception use permit, and the conditions imposed herein, if any, may result in the suspension, modification or revocation of the special exception use permit. If the Code Enforcement Officer of the Village of Brewster (the "CEO") finds that the use of the premises is inconsistent with the special exception use permit and the conditions imposed therein, the CEO may issue an immediate suspension of the special exception use permit pending a hearing, in addition to any other applicable Orders to Remedy, Notices of Violation or Appearance Tickets, and the applicant or owner of the premises shall be entitled to a hearing before the Board within fifteen (15) days of the suspension of the special exception use permit. After the hearing is held, the Board may reinstate, extend the period of suspension, modify or revoke the special exception use permit, based upon the applicant or owner's compliance with Section 263-20 of the Code and with the conditions stated herein. A violation of any local, County, State or Federal rule, order, law, regulation or ordinance shall be deemed to be a violation of the conditions of this special exception use permit, and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon adoption by the Board.

Mayor Schoenig voted to Approve

Deputy Mayor/ Trustee Piccini voted to Deny

Trustee Bryde voted to Approve

Trustee Boissonnault voted to Approve

Trustee Gaspar voted to Approve

VOTE: APPLICATION APPROVED BY A VOTE OF 4 TO 1.

STATE OF NEW YORK)
) ss.
COUNTY OF PUTNAM)

I, PETER BREWSTER HANSEN, Village Clerk of the Village of Brewster, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Board of Trustees of the Village of Brewster at a meeting of said Board on January 16, 2019.

DATED: January 16, 2019



PETER BREWSTER HANSEN, Village Clerk